

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LEON WEINGRAD,

Case No. 2:23-cv-05114

Plaintiff,

v.

JURY TRIAL DEMANDED

“NATIONAL HEALTH ENROLMENT
CENTRE”

Defendant.

[PROPOSED] ORDER ON
MOTION FOR FURTHER LEAVE TO SERVE SUBPOENA ON CONVOSO, INC
AND TO EXTEND TIME FOR SERVICE

AND NOW, this ____ day of _____ 2024, upon considering Plaintiff’s Motion for Further Leave To Serve Subpoena on Convoso, Inc. and To Extend Time For Service, (ECF No. 10) in this Telephone Consumer Protection Act case against presently unknown persons with known telephone numbers and service providers, and for good cause having found Plaintiff established “good cause” exists to serve a third-party subpoena on Convoso, Inc.¹, it is

ORDERED Plaintiff’s Motion (ECF No. 10) is **GRANTED**:

1. Plaintiff may serve Convoso, Inc. with a Rule 45 subpoena attaching this Order on or before 7 days from the entry of this Order requiring Convoso, Inc. provide him with data evidencing or identifying the last known name, address, contact telephone number, website, and e-mail address of the person to whom Convoso, Inc. assigned the telephone numbers at issue in

¹ The reasoning in the Court’s original Order (ECF No. 9), granting a motion on the same grounds upon the service provider Onvoy, LLC, applies equally here and is incorporated by reference herein.

the Complaint but may not serve a Rule 45 subpoena on other service providers identified by Convoso, Inc. in response to the subpoena without further leave;

2. Convoso, Inc., if qualified as a “cable operator” under 47 U.S.C. § 522(5), shall comply with 47 U.S.C. § 551(c)(2)(b) by sending a copy of this Order to the person identified with the telephone numbers at issue in the Complaint;

3. Plaintiff may only use the information disclosed in response to a Rule 45 subpoena served on Convoso, Inc. for the purpose of timely amending its Complaint and thereafter serve the appropriate parties; and,

4. Plaintiff is granted leave to amend its Complaint to add parties consistent with Rule 11 by no later than 31 days after the entry of this Order.

Kearney, J.